

REMARKS

INTRODUCTION:

In accordance with the foregoing, the specification has been amended to correct apparent typographical errors as would be understood by one of ordinary skill in the art based on the totality of the disclosure, claim 1 has been canceled without prejudice or disclaimer, claims 2-5, 8-12, and 14-17 have been amended, and claims 22-30 have been added.

No new matter is being presented, and approval and entry of the foregoing amendments and new claims are respectfully requested.

Claims 2-30 are pending and under consideration. Reconsideration is requested.

REJECTION UNDER 35 U.S.C. §112:

In the Office Action at page 2, the Examiner rejects claims 2 and 14 under 35 U.S.C. § 112, second paragraph, for the reasons set forth therein. This rejection is respectfully traversed and reconsideration is requested.

As a point of clarification, amended claims 2 and 14 no longer recite "sulforane," and therefore it is respectfully submitted that the Examiner's rejection is deemed moot.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action at pages 2-3, the Examiner rejects claims 1-9 and 11-21 under 35 U.S.C. § 102(b) in view of Simon et al. (U.S. Patent No. 5,626,981). This rejection is respectfully traversed and reconsideration is requested.

As a point of clarification, claim 1 has been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the rejection of claim 1 is deemed moot.

In addition, while Simon et al. appears to suggest using a mixture of first and second solvents set forth in col. 3, lines 1-25, as an electrolyte, Simon et al. does not disclose or suggest an electrolyte with first and second solvents, where either "said first solvent is at least one selected from a group consisting of methanol, hexamethyl phosphoramide, ethanol, and isopropanol" as recited in claim 2, or "said second solvent is at least one selected from a group consisting of methylethyl ketone, pyridine, methyl formate, n-propyl acetate, ethyl ether, methylethyl carbonate, toluene, fluorotoluene, benzene, fluorobenzene, p-dioxane, and cyclohexane" as recited in claim 3. As such, it is respectfully submitted that Simon et al. does not disclose or suggest the invention recited in claims 2 and 3.

It is further respectfully submitted that Simon et al. does not disclose or suggest the

invention recited in claims 14 and 15 for similar reasons.

Further, while Simon et al. discloses mixing a first solvent having a dielectric constant of more than 20 and a second solvent having a viscosity of less than 0.8 cP, the Examples used in Simon et al. are for ratios of 1:1.

In contrast, claim 4 recites, among other features, that "the first solvent is roughly between 20% and 40 % by weight of the electrolyte, and the second solvent is roughly between 80% and about 60 % by weight of the electrolyte." As such, it is respectfully submitted that Simon et al. does not disclose or suggest the invention recited in claim 4.

For similar reasons, it is respectfully submitted that Simon et al. does not disclose or suggest the invention recited in claim 11 and 12.

Claims 5-9 and 13, 16-21 are deemed patentable due at least to their depending from corresponding claims 2, 12 and 14.

In the Office Action at page 3, the Examiner rejects claims 1-3 and 9-15 under 35 U.S.C. §102(b) in view of Skotheim et al. (U.S. Patent No. 5,961,672). This rejection is respectfully traversed and reconsideration is requested.

As a point of clarification, claim 1 has been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the rejection of claim 1 is deemed moot.

Further, while Example 4 of Skotheim et al. appears to suggest an electrolyte having 1, 3-dioxolane, diglyme, sulfolane, and dimethoxyethane, Skotheim et al. does not disclose or suggest an electrolyte with first and second solvents, where either "said first solvent is at least one selected from a group consisting of methanol, hexamethyl phosphoramidate, ethanol, and isopropanol" as recited in claim 2, or "said second solvent is at least one selected from a group consisting of methylethyl ketone, pyridine, methyl formate, n-propyl acetate, ethyl ether, methylethyl carbonate, toluene, fluorotoluene, benzene, fluorobenzene, p-dioxane, and cyclohexane" as recited in claim 3. As such, it is respectfully submitted that Skotheim et al. does not disclose or suggest the invention recited in claims 2 and 3.

It is further respectfully submitted that Skotheim et al. does not disclose or suggest the invention recited in claims 14 and 15 for similar reasons.

Additionally, while Skotheim et al. proposes various liquid electrolytes in Examples 3-6, Skotheim et al. does not suggest "the first solvent is roughly between 20% and 40 % by weight of the electrolyte, and the second solvent is roughly between 80 % and about 60 % by weight of the electrolyte" as recited in claim 10.

It is further respectfully submitted that Skotheim et al. does not disclose or suggest the invention recited in claims 11 and 12 for similar reasons.

Claims 9 and 13 are deemed patentable due at least to their depending from corresponding claims 2 and 12.

In the Office Action at pages 3-4, the Examiner rejects claims 1-3, 8, and 10-15 under 35 U.S.C. §102(b) in view of Dahn et al. (U.S. Patent No. 5,041,347). This rejection is respectfully traversed and reconsideration is requested.

As a point of clarification, claim 1 has been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the rejection of claim 1 is deemed moot.

Further, while col. 10, lines 25-39 of Dahn et al. appear to suggest an electrolyte having mixtures of propylene carbonate and ethylene carbonate and mixtures of 2-methyltetrahydrofuran with propylene carbonate and/or ethylene carbonate, Dahn et al. does not disclose or suggest an electrolyte with first and second solvents, where either "said first solvent is at least one selected from a group consisting of methanol, hexamethyl phosphoramidate, ethanol, and isopropanol" as recited in claim 2, or "said second solvent is at least one selected from a group consisting of methylethyl ketone, pyridine, methyl formate, n-propyl acetate, ethyl ether, methylethyl carbonate, toluene, fluorotoluene, benzene, fluorobenzene, p-dioxane, and cyclohexane" as recited in claim 3. As such, it is respectfully submitted that Dahn et al. does not disclose or suggest the invention recited in claims 2 and 3.

It is further respectfully submitted that Dahn et al. does not disclose or suggest the invention recited in claims 14 and 15 for similar reasons.

Additionally, while Dahn et al. generally proposes various electrolytes in col. 10, lines 25-44, Dahn et al. does not set forth any specific combinations for these electrolytes. As such, it is respectfully submitted that Dahn et al. does not suggest "the first solvent is roughly between 20% and 40 % by weight of the electrolyte, and the second solvent is roughly between 80 % and about 60 % by weight of the electrolyte" as recited in claim 10.

It is further respectfully submitted that Skotheim et al. does not disclose or suggest the invention recited in claims 11 and 12 for similar reasons.

Claims 8 and 13 are deemed patentable due at least to their depending from corresponding claims 2 and 12.

PATENTABILITY OF NEW CLAIMS:

Claims 22-30 are deemed patentable due at least to their depending from corresponding claims 3, 4, 10, and 15.

CONCLUSION:

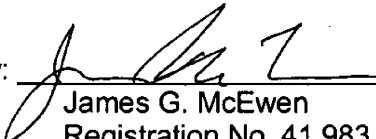
In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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